<u>Remarks</u>

By this amendment, Applicant has amended claims 1, 6, 11, 17, 19, 21, 25, 28, and 32, to

set forth the invention more particularly. The following claims remain in the present application.

No new matter is added.[1]

Independent Claims: 1, 6, 11, 17, 19, 21, 25, 28, 32.

Dependent Claims: 2–5, 7–10, 12–16, 18, 20, 22–24, 26, 27, 29–31, 33–35.

In preliminary matters, Applicant thanks Examiner for the courtesy extended during the

telephone interview of March 9, 2005. Applicant has reviewed Examiner's Interview Summary

of March 28, 2005 and thanks Examiner for her accurate summary.

The present invention is a method for providing pre-paid access to a computer network,

such as the Internet. The present invention uses a client computer terminal and a gateway server.

A client program is stored on a removable computer readable medium at the client computer

terminal. The client program directs the accessing of the gateway server at an address stored at

the removable computer readable medium. The client program then directs the transmission of a

profile identifier (which is also stored at the removable computer readable medium) to the

gateway server. The gateway server validates the profile identifier and accesses a database of

profiles correlated to profile identifiers. Based on the access criteria stored in the profile that is

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[1] In this regard Applicant notes that Examiner had previously questioned whether the
profile database was stored at the gateway server. During the course of the telephone interview
of March 9, 2005 Applicant directed Examiner to page 4, line 21 through page 5, line 2, which
includes "a gateway server having a server communications device and a first data structure. The
first data structure stores a database of user profiles and programming instructions directing the
method above."

correlated to the profile identifier received, the gateway server permits or denies access via the gateway server to the Internet.

As noted in Examiner's Interview Summary, Applicant and Examiner agreed that Applicant would clarify the relationship between the client and the server in the course of the method. Examiner suggested the possibility that Cobo, U.S. Patent No. 6,496,690, disclosed a method in which the role of the client was much greater, and the role of the server was much lesser, than the roles of the client and server of the present invention. That is, Applicant respectfully submits that the role of the client in the claimed invention is much less than the role of the client in Cobo, and that the role of the server in the claimed invention is much greater than the role of the server in Cobo.

As recited in the claims, the client computer terminal serves only the limited role of executing the programming instructions stored on the removable computer readable medium to transmit the profile identifier stored thereon. From that point, the gateway server handles the remaining tasks during the accessing time, including determining whether the access criteria remain satisfied. For example, in claim 14, it is the gateway server that decrements an account balance, and in claim 17 a chronometer is provided "at said gateway server" to determine the time of day of the access request.

As suggested by Examiner, the mobile terminal in Cobo is much more involved. As shown in FIG. 2 of Cobo and the associated description, a partial CDR or call data record (55) is sent from the mobile terminal (15) to the pre-paid center (19) during the accessing time. As shown in FIG. 2 of Cobo, it is this partial CDR (55) that triggers the calculation that the user's balance is depleted (56). In this regard, it is necessary that the pre-paid center (19) receive the

partial CDR (55) from both the network node (12) and the mobile terminal (15) before a session can be ended (59). Therefore, Applicant submits that in Cobo, not only does the mobile terminal, i.e. the client, communicate with the pre-paid center (19) after access is established, but that it is the partial CDR (55) from the mobile terminal (15) communicated to the pre-paid record that determines whether the access continues.

By contrast, the claims have been amended to clarify that in the present invention, the programming instructions executed by the client computer terminal direct the transmission of the profile identifier prior to the access being granted. That is, access is granted or denied initially based solely on the profile correlated to the profile identifier received from the client computer terminal. After access has been granted, the gateway server determines whether access should be terminated, *not the client as shown and described in Cobo*. This is exemplified by language in the claims that access is granted "based solely on the profile identifier stored on said computer readable media and the profile corresponding thereto stored at said gateway server." Because Cobo fails to show a client computer terminal executing a client application that has a role only in the initial determination of access, and no role in determining continuing access, Applicant respectfully submits that the present claims are in condition for allowance.

While Applicant submits that the distinction between Cobo and the claimed invention with regard to the role of the client and server would be sufficient to secure patentability, Applicant further submits that the present invention can be distinguished because, as Applicant and Examiner discussed during the telephone interview, the client application program is stored on a removable computer readable medium as recited in claims 6, 11, 17, 19, 21, 25, 28, and 32. This is not shown in Cobo. In fact, as Applicant and Examiner discussed, the mobile terminal

discloses only hardware-based programming instructions. This is logical, however, since Cobo is directed to mobile telephone and radio devices which typically do not include the capability to read removable computer readable media.

By contrast, the present invention includes *removable* computer readable media so that access can be obtained from any client computer terminal. That is, the present claims recite a method that is independent of the client device since the programming instructions, profile identifier, and access address, that is, everything needed in the claimed process to obtain access, are all stored on a removable computer readable medium that would be portable from client computer terminal to client computer terminal.

Moreover, Cobo does not suggest using removable computer readable media. As noted, Cobo is directed to providing Internet access for telephone or radio devices. See Cobo, col. 5, l. 61–col. 6, l. 10 (discussing methods of separately handling voice, i.e. circuit switched, accounts and Internet, i.e. packet switched, accounts). As such, Cobo never discusses using removable computer readable media to store the programming instructions, address, and user profile needed to access the Internet from another device, i.e. another telephone or radio device. Therefore, Applicant respectfully submits that Cobo fails to provide, or suggest, a motivation to alter the teachings of Cobo to store the programming instructions, address, and user profile on removable computer readable media. While Examiner suggested that smart cards or the like could be within the scope of Cobo, Applicant pointed out, and Examiner agreed, that smart cards or the alternatives considered by Examiner did not provide for the storage of programming instructions, let alone execution of those stored instructions, to establish the access.

As Examiner is no doubt aware, a prior art reference (or references when combined) must teach or suggest all the claimed limitations, M.P.E.P. section 2143, and obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention when there is some teaching, suggestion or motivation to do so found *either in the references themselves or in the knowledge generally available to those skilled in the art.* See In re Fine, 5 USPQ2d 1596 (Fed. Cir. 1988), M.P.E.P. section 2143.01. Since none of the cited art teaches or suggests storing programming instructions, address, and profile identifier on a removable computer readable medium to permit portability of a self-contained access package, Applicant respectfully submits that the claims are distinguishable over the cited references.

In view of the foregoing, Applicant respectfully submits that the claims are distinguishable over the cited references. First, the claims recite a method and system in which the role of the client in obtaining access to the Internet is the transmission of a profile identifier and the role of the gateway server is to determine access based on the profile identifier and the profile stored. By contrast, Cobo specifically states that the mobile terminal transmits partial call data records to the pre-paid center throughout the access to determine whether access is granted and maintained.

Second, the claims recite a method and system in which the client application, i.e. programming instructions, address, and profile identifier, are stored on a removable computer readable medium, so that the client application is portable between client computer terminals. By contrast, Cobo only discusses hardware implementations, and fails to suggest storing the programming instructions on a removable medium that can be transferred between telephone devices.
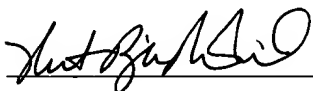
Conclusion

Applicant submits that the claims as presented are now in condition for allowance.

Should Examiner believe that a telephone interview would advance the prosecution of this

application, the undersigned would invite and request such an interview.

Respectfully submitted,
ANDERSON & MORISHITA

Dated: *April 20, 2005*

By: *[signature]*

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